

REMARKS

Reconsideration of the present application is requested. Claim 19 has been amended. Claims 1-19 are currently pending, and claims 1, 11, 17 and 18 are independent claims.

REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH

Claim 19 stands rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. Although Applicants do not necessarily agree with the Examiner's rejection, in an effort to expedite prosecution of the present application, Applicants have amended claim 19 taking into account the Examiner's comments. Withdrawal of this rejection is requested.

REJECTION UNDER 35 U.S.C. §103(a)

Claims 1-2, 6-8, 11, 14 and 17-19 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2002/0180883 ("Tomizawa") and U.S. Patent No. 5,347,294 ("Usui"). This rejection is respectfully traversed because, even in combination, Usui and Tomizawa fail to render the method of claim 1 *prima facie* obvious.

According to at least one example embodiment of the present invention, a modulation-driving and processing section may compare video data for the same pixel between a current field and a previous field. If the video data are substantially the same, the modulation-driving processing section 21b may reduce the level of facilitation (strength of modulation) when driving the pixels

PIX. The method of claim 1, in particular, requires that the strength of the modulation is adjusted by referring to a comparison between the current field and video signals of an earlier of two previous fields.

I. THE COMBINATION OF TOMIZAWA AND USUI FAILS TO RENDER CLAIM 1 OBVIOUS BECAUSE THE COMBINATION STILL FAILS TO TEACH OR SUGGEST ALL FEATURES REQUIRED BY CLAIM 1.

The Examiner correctly recognizes that Tomizawa fails to teach or fairly suggest at least, "adjusting strength of modulation in said modulating step based on a comparison between video signals of the current field and video signals of an earlier of previous two fields," as required by claim 1. The Examiner relies upon Usui to allegedly teach this feature and render the method of claim 1 obvious. However, even assuming *arguendo* that Usui was combinable with Tomizawa under 35 U.S.C. § 103(a) (which Applicants do not admit), the resultant combination fails to render the method of claim 1 obvious because Usui, like Tomizawa, fails to teach or fairly suggest "adjusting strength of modulation," as required by claim 1.

In Usui, a frame is described as consisting of two fields and a field is described as consisting of four frames (Col. 5, ll. 10-14), and thus, each frame consists of eight frames. Usui calculates the difference between the gray scale data of the previous frame and the gray scale data of the current frame so as to improve response time by compensating for driving of the pixel. *Id.* at col. 11, ll. 4-28. However, in doing so, Usui does not adjust the strength of modulation, but instead applies a larger gray scale signal (*see, e.g., Id.* at col. 11, ll. 4-15). Therefore, even assuming *arguendo* Tomizawa could be combined

with Usui (which Applicants do not admit), the combination still fails to render claim 1 obvious because the combination still fails to teach or fairly suggest all features of claim 1. M.P.E.P. § 706.02(j).

II. A PROPER PRIMA FACIE CASE OF OBVIOUSNESS FOR COMBINING TOMIZAWA AND USUI HAS NOT BEEN ESTABLISHED BECAUSE THE ALLEGED MODIFICATION WOULD CHANGE THE PRINCIPLE OPERATION OF TOMIZAWA.

A proper *prima facie* case of obviousness for combining Tomizawa and Usui has not been established because modifying Tomizawa with the teachings of Usui would change the principle operation of Tomizawa. If a proposed modification or combination of prior art changes the principle operation of the primary prior art reference, then the teachings of the references are not sufficient to render a claim *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959); M.P.E.P. § 2143.01(VI).

On the one hand, Tomizawa teaches gradations of voltages for driving (*see, e.g.*, paragraph [0073]), whereas, on the other hand, Usui utilizes time division for driving (*see, e.g.*, Figs. 6A-6G, col. 6, ll. 51-68). Thus, combining Tomizawa with the teachings of Usui as suggested by the Examiner would require modifying the device of Tomizawa to use time division driving. Because this would fundamentally change the principle operation of Tomizawa, the combination of references is not sufficient to render claim 1 *prima facie* obvious and the rejection should be withdrawn.

The rejection of independent claims 11, 17 and 18 should also be withdrawn for at least reasons somewhat similar to those set forth above with regard to claim 1. The rejection of dependent claims 2, 6-8, 14 and 19 should

be withdrawn at least because these claims are dependent from independent claims 1, 11, 17 or 18.

FURTHER PRIOR REJECTIONS UNDER 35 U.S.C. § 103(a)

Under 35 U.S.C. § 103(a), the Examiner further rejects claims 3, 4 and 5 over Tomizawa, Usui and Huang (U.S. Patent No. 6,295,091); claims 9 and 10 over Tomizawa, Usui and Gadeyne (U.S. Patent No. 6,909,472); claims 12 and 13 over Tomizawa, Usui and Nakanishi (U.S. Patent No. 5,488,389); and claims 15 and 16 over Tomizawa, Usui, Nakanishi and Choquet (U.S. Patent No. 4,937,667). Each of these rejections is respectfully traversed in that none of the above references teaches nor suggests, "adjusting strength of modulation in said modulating step based on a result of comparison between video signals of the current field and video signals of an earlier of previous two fields," as set forth in claim 1. For at least this reason, the rejection of claims 3-5, 9-10, 12-13 and 15-16 should be withdrawn.

CONCLUSION

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.


If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application, and the required fee of \$120.00 is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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